FAMILY VIOLENCE POLICING INITIATIVES

Alberta
SOLICITOR GENERAL

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FAMILY VIOLENCE POLICING INITIATIVES

ALBERTA SOLICITOR GENERAL

Violence in the home strikes at the heart of society. A child who lives in a home where a parent is abused carries this lesson of violence into adulthood. Anyone who lives in a violent home experiences a loss - the one place where she should feel safe and secure is a place of danger.

Family violence has been viewed as a social problem and as a family problem. In fact, it is a crime which mandates criminal justice intervention. An individual who assaults his spouse is no less a criminal than an individual who assaults a stranger on the street. A victim of family violence is entitled to the maximum protection from harm or abuse as permitted by law.

The Solicitor General who is responsible for policing in Albera, is committed to taking a leadership role with respect to law enforcement and crime prevention initiatives in the area of family violence. The police are usually the first and sometimes the only agency called upon to intervene in incidents of family violence, therefore it is imperative that they are able to respond efficiently and humanely.

Police services in Alberta have worked diligently to respond to calls of family violence in a humane, caring manner. Many have developed Victim Services Units to assist victims during their crisis. The Chiefs of Police and the Chairpersons of the Police Commissions have cooperatively worked with the Solicitor General to develop these initiatives to enhance the present police practices.

These initiatives are designed to address the crime of spousal abuse.

The primary goals of the Solicitor General's family violence policing initiatives are:

- *To reduce the incidence of family violence through early police intervention*
- *To increase public awareness of the criminal nature of family violence.*

In order to achieve these goals, a medium range time frame has been established. In this regard, it is projected that after three years of operation, the family violence policing initiatives of the Solicitor General will have accomplished the following:

(a) Established uniform police guidelines for charging, intervention, referrals and training.

(b) Established an advisory committee with representatives from municipal police, Royal Canadian Mounted Police, the judiciary, the Departments of the Attorney General and Solicitor General, and Alberta Council of Women's Shelters.

(c) Provided enhanced training to police instructors, recruits, senior constables and management.

(d) Reduced the incidence of injuries to victims and police.

(e) Increased public awareness of the criminal nature of the problem.

(f) Increased public awareness that help is available for victims.

(g) Provided immediate assistance and protection to victims of family violence.

(h) Reduced repeat calls and police time spent on family violence incidents.

(i) Improved the satisfaction of victims and police with the quality of services provided by police when intervening in conflicts.

(j) Established a mechanism for collecting and processing police and court data on the incidence of family violence.

(k) Developed and distributed educational material.

(l) Established family violence as a priority police response.

(m) Increased the availability of legal advice for victims.

(n) Increased the strength and enforcement of peace bonds and restraining orders.

(o) Developed an effective partnership with the media.

This paper discusses the proposed initiatives under the following headings:

Enforcement

Police Education

Victim Support

Public Awareness

Research

Following are the objectives and strategies for each of these areas.

ENFORCEMENT

A. Introduction

An approach which emphasizes appropriate police response is being adopted to reduce the incidence of family violence. This primarily preventive approach is based on experience and research showing that early police intervention results in a significant decrease in the level of violence in the home. A strict policy to lay a charge where reasonable and probable grounds exist is supported as it has been proven that arrest with appropriate follow up is the most effective deterrent when dealing with abusers who commit acts of violence in the home.

B. Objectives

- Lessen the number of repeat calls due to early police intervention.
- Send a message to the abuser that family violence is a crime.
- Provide assurance to victims that the police and courts will enforce the law.
- Decrease the abuser's ability to pressure the victim to drop charges.

C. Initiatives

Strategy I - Uniform Guidelines

The intent of this initiative is to establish a uniform policy for the response to investigations of family violence complaints, and to reaffirm the police officer's responsibility to respond in accordance with traditional probable cause standards.

Guidelines of minimum standards will be developed for incorporation into the policy of each Police Service. The guidelines will include a directive of the Department of the Attorney General stating that a charge should always be laid where the police officer has reasonable and probable grounds to believe an assault has taken place. The guidelines will outline definitions, the authority of the police to arrest or issue appearance notices, as well as the need to assist the victim in obtaining immediate medical attention or transportation to a safe place.

The guidelines will provide for the police to give a victim a referral card detailing legal information, emergency numbers and community agencies. The guidelines will require that Police Services complete a report on all family violence calls.

The guidelines are designed to ensure that victims of family violence will be protected, and inform the public that violence in the home is a crime and will not be tolerated.

Distribution - October, 1990

Strategy II - Mandatory Reporting

In the literature on family violence many statistics are quoted relating to the nature and incidence of family violence. Police are often the subject of criticism for their response to this crime. This criticism is voiced without the benefit of proper research.

In order to get an accurate picture of the incidence and police response police services will be requested to have reports completed on all family violence calls. These reports should contain information regarding the use of weapons, alcohol, drugs, age of victim, relationship between victim and abuser, medical attention reqiured, charges laid, and referrals made to community resources.

Police Services will be requested to submit data on a quarterly basis to the Department of Solicitor General for research purposes.

Strategy III - Peace Bonds and Restraining Orders

The present system to obtain peace bonds and restraining orders is confusing and expensive for victims of family violence. Victims have reported that these orders often do not provide the necessary protection. Discussions will take place with the Department of the Attorney General to ensure peace bonds and restraining orders contain a condition restricting the abuser from having contact with the victim.

The police are often not aware of the existence of these orders when they respond to a home. The feasibility of having copies of all bonds and orders issued available to the police will be explored.

Strategy IV - Compulsory Counselling for Batterers

Enhanced police intervention must be followed up by Crown Prosecutors to ensure charges proceed through court and that offenders receive treatment. Liaison with the Department Attorney General will inform Crown Prosecutors of the police initiatives and request cooperation. The importance of asking for a counselling condition on probation orders when addressing sentences for individuals charged with assault as a result of a family violence incident will be stressed.

D. Conclusion

Family violence is a crime which calls for police intervention. Research and evaluation support early police intervention and the laying of a charge where reasonable and probable grounds exist. The enforcement initiatives are designed to reduce the incidence of family violence by sending a strong message to the abuser that family violence is a crime which can result in charges laid and strict sentences being imposed

II. POLICE EDUCATION

A. Introduction

In more than 90% of all homicides which occur as a result of family violence, police have previously attended the residence for family violence disputes. In more than 50% of all family violence homicides, police have previously attended five or more times for family violence disputes. The police are the only 24 hour, free, immediate service that provides intervention in family violence disputes, therefore it is imperative that police receive proper training, education and support in order to appropriately deal with the situation and assist families.

B. Objectives

- To sensitize the police to the dynamics of family violence.
- To assist police with learning appropriate methods of intervention.
- To familiarize the police with the research supporting strict enforcement of a charging policy.
- To reinforce the responsibility and authority of the police in responding to calls of family violence.
- To familiarize the police with the needs of the victim and community services available.
- To reduce the likelihood of injury to the police and victim through skilled crisis intervention.
- To assist the police in identifying signs of abuse.
- To solicit support from all levels of the police services to treat family violence as a serious criminal act.
- To recognize police officers who demonstrate good human relations skills.
- To assist police in making referrals to appropriate community agencies.

C. Initiatives

Strategy I - Advisory Committee

An advisory committee comprised of representatives from the municipal police services, the police commissions, the Royal Canadian

Mounted Police, the Alberta Council of Women's Shelters, and the Departments of the Attorney General and Solicitor General will be established.

The mandate of the advisory committee will be to:

- Identify what gaps/problems exist in the present response to family violence.
- Establish police priorities for improvement to identified gaps/ problems.
- Approve the intent and design of initiatives.
- Monitor the implementation of initiatives.

Meetings will be held with committee members on an individual as well as group basis.

Staff of the Office for the Prevention of Family Violence, the Women's Secretariat and the Interdepartmental Committee on Family Violence will be asked for direction and assistance to support the police initiatives.

Strategy II - Police Training

Training lesson plans will be developed to prepare police officers to deal with crisis intervention and conflict management relating to family violence. Proper training can have dramatic results for police services in that it can reduce the time spent on family violence calls and promote greater safety for the attending officers. A major focus will be on sensitizing police to the needs of the victim, as well as the frustrations experienced by police when the victim refuses to testify, charges are dropped, or lenient sentences are imposed. Training sessions will include a panel discussion with a victim, a batterer, a police officer, a crown prosecutor and a judge.

Three distinct training sessions will be designed for:

(1) Police instructors

(2) Recruits

(3) Senior constables and police managers

This program will commence with the training of the police instructors at the Solicitor General Staff College. The lesson plans for the recruits, senior constables and management will be distributed to police instructors prior to the course, with each assigned an area to

teach. Sessions will be video taped for feedback purposes. The police instructors course will include different methods of instructions, group discussions, moderating panels and soliciting response from the class.

These instructors will then be responsible for providing in-house training sessions to recruits, senior constables and senior managers in thier respective police services. When and how this training will be delivered will be the prerogative of each Chief of Police.

Strategy III - Booklet - A Guide for Police Officers

A booklet, "A Guide for Police Officers", will be distributed to all police officers. This booklet, designed as a quick reference, is intended to help police understand the dynamics of family violence. It will outline the myths and facts about family violence, the kinds of abuse, the cycle of violence the profile of the abuser and victim, the reasons why a victim stays in the relationship, the impact of the children, and what the victim needs from the police.

Strategy IV - Family Violence Newsletter

In order to provide police with ongoing information on programs in other jurisdictions, research, legal decisions and program evaluations, a family violence newsletter will be prepared and distributed by the Law Enforcement Division. The first newsletter will introduce the policing initiatives and their objectives.

Newsletters, produced on a quarterly basis, will be designed for posting on bulletin boards in police stations.

Strategy V - Recognition of Police Officers

Recent trends in policing have focused on community based policing and problem solving policing. With this in mind, police services will be encouraged to recognize police officers in performance appraisals for community work, good human relations skills, proper crisis intervention and appropriate referrals to community agencies. This will reinforce to police officers that dealing with people in a family violence crisis is important police work.

D. Conclusion

These initiatives are designed to enhance present police practices in the area of family violence. Good intervention begins with proper training, solid information and strong support from the police services.

III. VICTIM SUPPORT

A. Introduction

Victims of family violence are uniquely isolated as they become victims at the hands of the person they love. These victims wrestle with feelings of fear, loyalty, love, guilt and shame. Victims are torn between the desire to shield and help a loved one, and their fear for their own safety and the safety of their children.

B. Objectives

- Support the victim through the court process to increase the likelihood of successful prosecution.
- Ensure victims are dealt with in a humane caring manner.
- Increase the victim's satisfaction with the police response.
- Advise victims of the services available in the community.

C. Initiatives

Strategy I - Crisis Intervention Strategies

When responding to a family violence call, police are responsible for protecting the victim and enforcing the law. Victims may require a variety of assistance to meet their immediate needs for safety, medical treatment, housing, transportation and information about community resources.

In addition to taking any legal action, guidelines will address the police officers responsibility to:

- Secure medical treatment for victims.
- Ensure the safety of children.
- Remain on the scene until satisfied that there is no threat to the victim.
- Standby to ensure safety if the victim is removing personal property.
- Provide the victim with information on community resources (family violence referral card).
- Arrange or provide transportation to a shelter or safe place.

Strategy II - Family Violence Referral Cards

Victims of family violence often feel isolated and are not aware that they have alternatives. In order to provide a quick source of information, a referral card outlining legal information, emergency numbers and community agencies will be designed for police officers to provide to the victim. This card will also contain the police file number and the badge number of the responding officers, so that the victim can access information regarding the status of any charges laid.

Strategy III - Booklet - Victims of Family Violence - Information & Rights

As previously stated, victims lack information about alternatives, police assistance, court procedures and community services. A booklet designed as an information resource for victims will be developed, focusing on rights and responsibilities. This booklet will indicate the incidence of family violence, kinds of abuse, the cycle of violence, reasons why women stay, the impact on the children, the reason for police intervention, what the victim can expect from the police, the court process and protective orders.

Strategy IV - Weekly Call Backs

There are many different scenarios when police respond to calls of family violence. In some situations a charge is laid, an arrest is made and the offender is placed in custody. In some situations a charge is laid and the offender is given an appearance notice. In other situations there are no reasonable grounds to lay a charge, and the police defuse the situation and leave. In other situations the police may do some mediation with the couple. In other situations the police may provide the victim with transportation to a safe place.

Regardless of what actions are required, police services will be asked to develop a practice whereby a representative from the police service would call the victim approximately one week after the incident to ensure safety and to answer any questions in regard to court proceedings. This will be an opportunity for the police officer to inform the victim of the progress of the case in court, to detect pressures brought on the victim to request withdrawal of the charges, and to encourage the victim to see the case through court.

Strategy V - Legal Aid

Ontario has developed a system whereby free emergency legal advice is available to victims of family violence. Shelters and related agencies can refer victims directly to a lawyer for one hour of emergency advice concerning legal issues which may require immediate action.

The feasibility of setting up a similar system for Alberta will be explored.

Strategy VI - Victims Services - Court Preparation

Presently Victim Services Units are operated by the Edmonton, Calgary and Medicine Hat municipal police services and by Grande Prairie, Red Deer, Fort McMurray, Sherwood Park, Stony Plain, and Leduc Royal Canadian Mounted Police detachments.

With the passing of the Victim Program Assistance Act and the establishment of the Victim Program Services Unit, it is hoped that victims can be provided information on the court process, i.e., status of charge, court dates, questions to be prepared to answer, and emotional support. Victims will be provided with the opportunity to complete Victim Impact Statements.

D. Conclusion

Victims of family violence must be dealt with in a humane caring manner. They often lack information on their rights and the criminal justice system. Initiatives designed to educate and serve victims will assist in empowering them to better their living situations.

IV. PUBLIC AWARENESS

A. Introduction

Most Albertans are aware that family violence occurs in their community, however many perceive it as a private family matter. An awareness campaign is required to inform the public that family violence is a crime, and to mobilize them to participate in its prevention.

B. Objectives

- Inform the public that family violence is a crime.
- Maintain a high level of public awareness of family violence.
- Advise victims and any parties aware of an assault occurring to call the police.
- Develop an effective partnership with the media.

C. Initiatives

Strategy I - News Release to Launch Initiatives

In conjunction with the Chairman of the Chiefs of Police and the Chairman of the Alberta Association of Municipal Police Commissions, the Solicitor General will hold a news conference to announce the family violence policing initiatives.

For this news release, an extensive media package with details on long and short term strategies will be prepared. It will contain a fact sheet on family violence as well as copies of booklets prepared for distribution.

Strategy II - Radio

In conjunction with the Women's Secretariat and the Office For The Prevention of Family Violence, a proposal will be drafted for a media campagin depicting the message that "Family Violence Is a Crime: If You Have Been Assaulted - Call the Police".

The recommended method to follow would be a continuous low level campaign for one year. The feasibility of public service announcements will be explored.

Strategy III - Newspapers

The same message will be presented in neighbourhood, ethnic and major newspapers. Feature articles will be prepared as a mechanism to maintain interest in the initiatives.

Strategy IV - Billboards

The "Family Violence is a Crime: If You Have Been Assaulted Call the Police" message will be presented on billboards. This strategy is utilized to provide a constant message to the public.

Strategy V - Brochures & Posters

Materials will be prepared for distribution by police services during Crime Prevention Week, Law Week and Family Violence Prevention Month.

They will also be displayed in police stations, women's shelters, Crown Prosecutors' offices, court locations, hospitals, women's centres, grocery stores, churches, post offices and other locations.

Strategy VI - Logo

A family violence policing initiatives logo: "Family Violence Is a Crime", will be used to signify police initiatives on advertisements, letterhead, booklets, training manuals, policies, brochures and referral cards.

D. Conclusion

The power of the media to influence public attitudes can not be understated. A strong, continuous public awareness campaign on the criminal nature of family violence will be designed to reach Albertans and let them know change is possible.

V. RESEARCH

A. Introduction

Accurate information is an essential precondition to making informed decisions as to proper police procedures. Clear identification of high risk target groups will assist in an appropriate focus for police and public education. Information on the incidence of family violence will allow for an evaluation of the policing initiatives.

B. Objectives

- Stay abreast of developments in other jurisdictions.
- Form the basis for future planning.
- Determine the effectiveness of existing programs.
- Demonstrate to the public and police that the initiatives are working.
- Collect statistics on the incidence of family violence.
- Help police services better understand calls of family violence and the amount of time and resources required to handle them.

C. Initiatives

Strategy I - Review Practices from Other Jurisdictions

Police policies, procedures, training and services to victims in major cities in Canada and United States will be resourced to identify innovative programs and practices.

Research evaluating the impact of charging policies and public awareness campaigns in other jurisdictions will be reviewed to determine their strategies and effectiveness.

This information will be useful in establishing the groundwork for many of the policing initiatives and will be catalogued for easy accessibility of information.

Strategy II - Mandatory Reports

Data received from police services will be utilized to determine the incidence of family violence, the use of weapons, the abuse of alcohol/ drugs, repeat calls, charges laid, arrest rates, withdrawal of charges and sentencing practices.

Analysis of this information will provide the basis for future directions for policing practices and public awareness campaigns.

Strategy III - Feedback From Victims Who Use Shelters in Alberta

The Department of Family and Social Services require intake interviews be conducted with all women who use shelters. Part of the interview questionnaire relates to police intervention and the victim's satisfaction with such intervention.

This data was evaluated and a report prepared in April 1990.

This data will again be evaluated in 1992 to determine if there has been an increase in charges laid, services to victims and victim satisfaction.

Strategy IV - Public Survey

A public survey will be conducted and analyzed to provide information regarding public reaction to the policing initiatives. Public surveys are helpful in establishing the most effective educational medium as well as increasing public awareness.

Strategy V - Status Report

To sustain support and interest, it is essential that the Minister, senior officials of the Department of the Solicitor General, members of the advisory committee and the police services be kept apprised regarding the progress for each initiative. In order to keep all parties informed, a status report will be prepared on an annual basis.

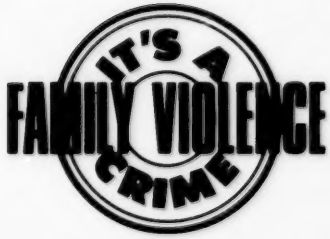
D. Conclusion

Research is necessary to design, implement and make necessary changes to programs. New information will lead to a better understanding of the dynamics of family violence, and consequently lead to better police intervention.

VICTIMS OF FAMILY VIOLENCE:

INFORMATION AND RIGHTS

Alberta
SOLICITOR GENERAL



VICTIMS OF FAMILY VIOLENCE:

INFORMATION AND RIGHTS

INTRODUCTION

Violence in the home strikes at the heart of society. A woman who is in a violent relationship experiences a loss in life - the one place where she should be safe and secure is a place of danger. Family violence has traditionally been viewed as a social problem or a family problem. In fact it is a crime which mandates criminal justice intervention.

It is a criminal act for your partner to assault you, just as it is a crime for any individual to assault another. As a victim of family violence you are entitled to the maximum protection from harm or abuse as permitted by law.

It is not just happening to you! The Canadian Council on the Status of Women estimates that one in every ten Canadian women living with a man has been assaulted by him. It is not just a problem only in certain segments of society, it occurs in all socio-economic, ethnic, and religious groups. The frequency and degree varies - in Alberta about one-third of the abused women who use shelters reported being beaten weekly or daily; another 25 percent reported being beaten once a month.

As an abused woman you may feel confused, fearful, angry and frustrated about being involved in an abusive situation. Some of your feelings and thoughts may be:

- I should protect him
- I don't know what to do
- It's my fault
- If I change, it will stop
- Maybe things will improve
- It only happens to me
- I'm afraid (if I try to leave), he'll really hurt me or my children
- I feel so trapped
- I have no money
- I'm really scared
- If I leave he'll find me anyway

It is important that you realize that you are not to blame and that you are not responsible for your partner's conduct.

Physical violence rarely occurs only once. Unless proper intervention occurs, the violence becomes more severe or more frequent. You might sustain serious injuries as a result of this violence - injuries like broken arms, cracked ribs, concussions; if you are pregnant you may be punched or kicked in the stomach. In addition to being assaulted, you may have experienced other kinds of abuse, such as emotional, sexual or financial abuse.

You do not deserve to be abused. Family violence is a crime. There is help for you to protect yourself and your children.

KINDS OF ABUSE

As you are probably aware, there are many kinds of abuse you may experience. Physical and sexual abuse are described within the Canadian Criminal Code as "assault".

Physical Abuse: includes many degrees of physical violence like pushing, shoving, slapping, kicking, punching, hitting, spitting, pinching, pulling hair, choking, throwing things, hitting you with an object, using or threatening to use a weapon.

Sexual Abuse: making you do any sexual act you do not want to do.

Other kinds of abuse that are unacceptable but not punishable by the Criminal Code are:

Emotional/Psychological Abuse: can lead you to feel anxious, depressed or cause you to withdraw from everyone or everything around you. Examples of this type of abuse include insulting your family or friends, ridiculing your beliefs, race or religion, constant put-downs, or threatening to kill himself if you leave, keeping you prisoner in your home, threatening to take the children if you leave, threats to have you deported.

Financial Abuse: occurs when your partner does not allow you to have money or any control over money. You must rely on him for all your basic needs, he does not want you to have a job. He wants you to be dependent on him for money and survival.

Isolation: You may also be kept in isolation from your family, friends and community as a way for your partner to stay in control. He may be extremely jealous of any contacts you have, forbid you to have contact with anyone or monitor your phone calls, mail or daily activities. Sometimes he may use intimidation or threats to control you.

All of these are defined as abuse and you should be aware that any one of them may lead to another. You should recognize these symptoms and know your choices in making decisions to stop the violence.

CYCLE OF VIOLENCE

Research and experience support that violence in a relationship follows a cycle - the tension builds over a period of time - days, weeks, months or even years; then comes the assault, which is followed by a period of peacemaking.

PHASE ONE - TENSION BUILD-UP

- You can sense your partner's edginess.
- You are unable to discuss the underlying problem with him.
- He becomes verbally abusive.
- You may feel the abuse is deserved.
- In order to cope, you deny that violence will occur and believe that it can be controlled.

PHASE TWO - VIOLENT EPISODE

- The tension builds until it becomes unbearable. You may even provoke violence to get it over with. Your partner loses control and acts violently.

- It may begin with a push or shove. With time it escalates to a slap, kick or punch, then to the use of weapons, resulting in more serious injuries.
- Your partner does not want to hurt you, just teach you a lesson.
- He justifies his actions and blames you.
- Both you and your partner minimize the seriousness of the injuries.
- You accept the blame.

PHASE THREE - HONEYMOON:

- Both you and your partner welcome this state.
- Your partner is worried and tries to make up.
- He fears you will leave the relationship.
- He becomes charming and manipulative.
- He generally believes that his anger can be controlled and that it will never happen again.
- You want to believe him.
- Your partner plays dependent...he will fall apart without you.
- You may be given gifts: flowers, candy, etc.
- You begin to feel responsible for the abuse.

If you look at your own relationship with your partner, you may relate to this cycle of violence. He will not be violent all the time and this can leave you feeling very confused. The combination of being treated like a princess and being needed can be a powerful incentive to stay in a relationship; it can create a strong belief that things will get better. But once violence has begun, it will need outside intervention to stop.

WHAT ABOUT MY CHILDREN?

In a recent study conducted at an urban shelter, the findings suggested that the majority of children who accompanied their mothers to the shelter had been abused in some manner. The vast majority of these children - both boys and girls - had been seriously abused or neglected, including sexually abused by a violent parent, guardian or sibling.

You may wonder what effect this violence in your relationship has on your child. Studies show that the effects on children living in an abusive environment are harmful and lasting. Children learn to accept violence as a normal part of family life and will often mimic their parents and become violent themselves. If a mother remains in a home where she is being abused, her children learn there are few consequences for violent behaviour; they become confused in their feelings of love and hurt; their feelings toward their mother may also be confused and this may result in losing respect for her or even directing abuse toward her. Boys may grow up to abuse the partners they choose and girls tend to accept violence in relationships with men because they think of violence as a normal part of a relationship.

Children who observe violence may:

- feel frightened, confused and unhappy
- behave aggressively, become belligerent or withdrawn and act fearful
- become depressed or even suicidal
- feel responsible for the violence
- exhibit self destructive, accident-prone behaviour
- have physical complaints such as headaches, stomach aches
- have night time difficulties such as insomnia, night-mares, bedwetting
- seek punishment with behaviours such as lying or stealing (believing punishment means love).
- adopt rigid gender role identification:

- girls - withdrawn, passive, given to approval-seeking behaviour;
- boys - aggressive, acting out, bullying and self-destructive behaviour.

Your child deserves better. Although removing them from a violent home will not automatically remove the damage already done, it will certainly encourage a positive change in their lives. Counselling is available to help your child with the confused emotions or trauma they have experienced.

If you decide to leave an abusive situation, take your children with you. If the police are involved, they can escort you to a "safe house".

As a parent you share a responsibility with your partner to protect your child. The cycle of violence can be broken - you and your children deserve to be protected.

POLICE INTERVENTION: WHAT TO EXPECT!

Calling the police to intervene in a family violence situation is not an easy step but remember, FAMILY VIOLENCE IS A CRIME. Police can defuse a crisis situation and they can also offer you immediate assistance if you require it. In some centres crisis workers are available to assist police in arranging professional follow-up.

WHAT TO DO IF YOU HAVE BEEN ASSAULTED:

- CALL THE POLICE (or have a neighbour or friend do it for you). Use 911 if the threat of danger is immediate
- try to give the police as much information as your circumstances allow:
  - your name, address and phone number
  - if your life is in danger
  - if you are injured and will need an ambulance

- if there are weapons being used, and if so, what type
- if there are drugs and alcohol involved
- if there are children (or others) present in the home
- if there is a history of violence
- is there a restraining order or peace bond in effect

When the police arrive at your home they must take charge of the situation, make an assessment, find out what is going on and make sure nobody gets hurt. The police may separate you and your partner and ask both of you questions as to what occurred:

- the police may ask questions which you might find awkward, but they must be able to find out all the relevant facts and information

- it is important that the information you give the police is complete and factual as it will lead to a decision as to whether they believe there are reasonable and probable grounds to lay a charge

- the police will want a detailed description of the violence and extent of injuries

- the police will need to know your relationship to the abuser and if there is a history of violence

- make sure you tell the police if there is a restraining order or peace bond in effect. Be prepared too show the police a copy of this document

Based on the circumstances the police may proceed as follows:

A. Lay a Charge

- If the police have reasonable and probable grounds to believe an assault or other crime has taken place, they will lay a charge under the Criminal Code of Canada.

- Once the police make a decision to lay a charge, they must consider whether to make an arrest or to issue an appearance notice. An appearance notice requires an accused to appear in court on a specified date.

- In order to effect an arrest, the police must consider <u>all</u> the circumstances leading up to the charge, including the prevention of the continuation or repetition of the offence or the commission of another offence. For this reason it is very important you make the police aware if you fear for your safety should your partner not be detained.

- If the police proceed by arrest, your partner will have the right to a bail hearing within 24 hours. This bail hearing (or show cause) may be in front of a Justice of the Peace or a Provincial Court Judge. Unless there is sufficient evidence as to why your partner should stay in custody until his court date, he will be released. His release will also be subject to no outstanding charges or warrants.

- If you feel you will be in danger if he is released, you should inform the police and request that the court impose a condition on his release to have no contact with you.

- If the police do not have a reason to believe an arrest is necessary, they will issue an appearance notice requiring your partner to report for fingerprinting on a certain date and to appear in court at a later date.

B. Not Lay A Charge

- If the police believe that reasonable and probable grounds do not exist to lay a charge against your partner, you have the right to lay an "information" which may result in a charge.

- An "information" is a sworn statement of a person with knowledge of a crime and accuses someone of committing the crime.

- You do not require a lawyer to do this, nor are there any costs involved. The process for laying an information is as follows:
  - obtain a copy of your statement that you gave police describing what occurred
  - record the file number the police will give you
  - make an appointment at Provincial Court House to see a Justice of the Peace to swear an "information"
  - if the Justice of the Peace finds there is sufficient evidence to lay a charge, he will accept your "information" and set a court date
  - a document server will serve an appearance notice on your partner

Once the immediate crisis has been defused and statements taken, the police or crisis worker can assist you in deciding your next move. REMEMBER you must make the final decision yourself. Sometimes it may be safe for you to both remain in the home, but usually one of you should leave unless an arrest is made. The police do not have the authority to remove an abuser from a home if he is entitled to be there, so it is often the woman and children who leave. The police can take you to a safe place.

The police can also be present when you remove personalbelongings from your home either at the time of initial intervention or at a later date. You should take:

- personal clothing
- house keys
- charge cards
- bank books
- medications
- personal identification
- children's clothing
- special toys or blankets for children

Property that is jointly owned should not be removed.

WHO MAY WITHDRAW A CHARGE?

Once a charge has been laid, neither you nor the police have the authority to have it withdrawn. Only the Crown Prosecutor has this authority. You should know, however, that the policy of the Department of Attorney General is that charges of spousal assault, whether laid by the police or the victim, will not normally be dropped.

Going through the court process will reinforce to your partner that his abuse towards you is a crime and will not be tolerated. Further the judge may require him to participate in counselling for his behaviour to learn how to deal with his problems in a non-violent manner.

THE COURT PROCESS

1) FIRST APPEARANCE

After a charge is laid, your partner will be required to appear in Court before a Provincial Court Judge. This is called the "first appearance".

- In court the charge(s) will be read out and the judge will ask your partner if he understands the charge and if so is he ready to enter a plea:

  (a) if your partner enters a guilty plea, the judge will either sentence him right away or ask for a pre sentence report and set another date for sentencing;

  (b) if your partner enters a not guilty plea, the judge will set a trial date;

  (c) if your partner asks for an adjournment to obtain legal advice, the judge will set another court date in the near future;

  (d) if your partner enters an election for trial in Court of Queen's Bench the judge will set a date for a preliminary inquiry.

- If your partner is in custody the first appearance may include a "show cause" hearing. This is when a decision will be made as to whether he is released from custody or held in custody until the next court date.

2) THE TRIAL

If your partner enters a plea of not guilty, a trial date will be set.

Going through a trial may be a difficult step for you but keep in mind that it is also a major step forward in changing your abusive relationship.

- As with most cases of spousal assault, there may be only two witnesses: you and your partner. For this reason it is important that you cooperate with the Crown Prosecutor to ensure all evidence is provided (e.g., pictures, medical documents, torn clothing, plus any notes you may have made regarding the situation).

Depending on how busy your local court is it may be many weeks before your case goes to trial. The following outline will give you some idea of what to expect prior to the actual trial as well as being a witness in your assault case:

(a) You will be subpoenaed to appear in Court (a subpoena is a legal document indicating the date and time you must be in court as well as the charge against your partner). Remember, once you are subpoenaed you are legally obligated to appear in Court.

(b) The Crown Prosecutor represents the "Crown", thus he acts on your behalf. He has the police report and statements and will prosecute based on that documentation. It is important that you be open and honest with him, including concerns you may have for your safety. If you wish to present extenuating circumstances or any other reasonable suggestion before the Courts, you may do so through the Crown Prosecutor. This information might include prohibiting your partner from having contact with you, and that he be required to seek counselling.

(c) If you signed a statement with the police and do not have a copy of it, ask for a copy of it and review it prior to the trial.

(d) Prior to your trial, it may be helpful to go to another trial (they're listed daily outside each court room) so you can familiarize yourself with the trial process.

(e) You may bring friends or family members with you to the trial for support.

(f) Once you arrive at the court house, report to the Crown Prosecutor handling your case. He will be at a table in the front of the court room. You may ask the Crown Prosecutor any questions you have about the court process:

- where to wait until you are called into court
- whether or not you must give your address aloud in court
- what kinds of questions the Crown will ask you
- whether or not you can stay in court after you have given your testimony
- whether you can use your notes - you may want to give the Crown Prosecutor a copy.

(g) The Crown Prosecutor will call all of his witnesses first and when he has finished presenting the case against your partner the defense lawyer will then call any witnesses he may have.

(h) The responding police officers will be the first to be called to give evidence

(i) Unless there are other witnesses you may be called to give evidence next. The Clerk of the Court will read an oath and will ask you to swear to tell the truth.

(j) Examples of questions that may be asked of you by the Crown Prosecutor are:

- What is your relationship to the accused?
- How long were you in the relationship?
- Were you assaulted by the accused on (date)?

- Where did this assault take place?
- Did you consent to the assault?
- Who was present when the assault occurred?
- What led up to this assault?
- Were either you or the accused consuming alcohol at the time of the assault?
- Did you sustain injuries?
- Did you receive medical treatment?
- Did anyone witness the injuries?
- What is your present living situation?

(k) You should expect to be cross-examined by your partner's lawyer. You can expect some theatrics and placing of blame on you. It is important not to over react. Remember - you were there not the lawyer.

(l) The Crown Prosecutor can re-question you to clarify any points raised by your partner's lawyer.

(m) It is important that you understand every question prior to answering it. If you don't understand, say so. DO NOT GUESS.

(n) Your partner will be in court and he may be called to give testimony. It is important that you remain silent even if you do not agree with his testimony. Speak to the Crown Prosecutor if there are points you feel should be clarified.

(o) After all witnesses have provided their testimony and cross examinations have occurred both the Crown Prosecutor and your partner's lawyer will address sentencing.

(p) The judge will then make a decision as to your partner's guilt or innocence.

SENTENCING

If your partner is found guilty of the charge he may be sentenced as follows:

1. Probation

   The judge may require him to be under the supervision of a probation officer and abide by certain conditions. These conditions may include compulsory counselling, no contact with you, paying restitution for damages, or performing community service work.

   If he fails to abide by the conditions the probation officer will lay a Breach of Probation charge and he will be brought back to court.

2. Fine

   The judge may require him to pay a fine.

3. Jail

   The judge may sentence him to a period of incarceration.

The judge may impose any combination of two of the above dispositions, ie., jail to be followed by probation, or probation and a fine, or jail and a fine.

OTHER LEGAL REMEDIES

In addition to calling the police for intervention and protection, you may apply for a peace bond or a restraining order.

A. PEACE BOND

A peace bond, issued under Section 810 of the Canada Criminal Code, is a court order which requires your partner to keep the peace and abide by any other conditions.

A peace bond may include a condition forbidding your partner to have ANY type of contact with you. If your partner has not been charged with an offence, and you are frightened for your safety, you may be able to apply for a peace bond. A peace bond can also be issued if you fear harm to your children or property.

To obtain a peace bond:

1. Report the incident to the police and indicate why you are worried about your safety. Get a file number from the police.

2. Make an appointment through your local criminal court with a Justice of the Peace.

3. Explain all the details to the Justice of the Peace. It is best to try to write everything down ahead of time. If there are sufficient grounds to warrant a peace bond, the Justice of the Peace will set a court date and a court summons will be served on your partner.

4. If your partner is served with a summons but fails to appear in court, a decision may be made to issue a peace bond "ex parte" (with your side only) based on your information.

B. RESTRAINING ORDER

A restraining order is a court order which requires your partner to stop molesting, annoying or harassing you or your children.

YOU NEED A LAWYER TO APPLY FOR A RESTRAINING ORDER. You can contact your local office of Legal Aid for assistance, if necessary.

Restraining orders can be put in effect relatively quickly but:

(a) if you are legally married you must also apply for a civil action such as a divorce; or,

(b) if you are living in a common-law relationship you must start an action such as civil assault, in order to get a restraining order (a civil action is a claim for damages for personal injuries).

Generally a restraining order is in effect for three months from the date your partner is served with the order. This can be renewed by your lawyer through the Court of Queen's Bench.

Keep a copy of your restraining order. An order may act as a deterrent to keep your partner away, however, if he breaches it, call the police. Be prepared to produce the restraining order.

C. LEGAL ASSISTANCE

If charges are laid against your partner by either the police or yourself, you do not need a lawyer to go to court. However, legal assistance may be required to investigate custody agreements, divorce, or other concerns you may have.

Some options you may consider are:

1. Dial-A-Law - pre-recorded tapes containing general legal information. Written copies of these tapes can be mailed upon request.
   Telephone 1-800-332-1091

2. Lawyer Referral - this service will give you the names of three local lawyers who deal in cases specific to your needs. For a minimal fee you can then meet with the lawyer of your choice to discuss your situation.
   Telephone 1-800-332-1110

3. Legal Aid - this service is for people who cannot afford to hire a lawyer privately. You may be requested to pay a certain amount on a monthly basis. To find the number of your nearest Legal Aid office, you may contact your government RITE line or consult the white pages of your phone book.

CONCLUSION

Family violence is a crime. As a victim of family violence you are entitled to protection from the Criminal Justice System. You are not alone - the police and helping agencies in your community can provide you with assistance. Reach out for help!

RIGHTS OF A VICTIM OF FAMILY VIOLENCE:

1. A victim of family violence is entitled to be free and safe from violence.

2. A victim of family violence is entitled to the maximum protection from abuse as permitted by law.

3. A victim of family violence is entitled to be treated with courtesy, compassion and respect.

4. A victim of family violence is entitled to information about legal rights and the assistance which can be obtained from community resources.

5. A victim of family violence is entitled to go to court and obtain a restraining order or peace bond to stop her partner from threatening or annoying her.

FAMILY VIOLENCE

A GUIDE FOR POLICE OFFICERS

Alberta
SOLICITOR GENERAL

FAMILY VIOLENCE

A GUIDE FOR POLICE OFFICERS

INTRODUCTION

Traditionally, family violence has been viewed as a social problem and as a family problem. In fact, it is a crime which calls for police intervention. An individual who assaults his spouse is no less a criminal than an individual who assaults a stranger on the street.

Police are the only 24 hour, free, immediate service which provides intervention in family violence disputes. Therefore it is important that police receive proper training and support in order to appropriately deal with these disputes and assist families.

This booklet is intended to assist police officers to understand the dynamics of family violence - specifically the crime of spousal assault.

MYTHS ABOUT FAMILY VIOLENCE

There are many myths about family violence and the people who experience it. It is important to be aware of these myths and recognize them as such.

The following statements are myths that often perpetuate the problem of family violence as outsiders are reluctant to become involved and feel their intervention will be of no benefit.

a) Family violence is a rare occurrence.

b) A man who assaults his partner is mentally ill.

c) Alcohol abuse is the main cause of family violence.

d) Family violence only occurs among poor families and those from minority groups.

e) Violence within the home is a private family matter.

f) A woman enjoys the abuse and finds it a sexual turn-on.

g) An abused woman can leave her abusive partner if she really wanted to.

h) A man who uses violence against his partner is driven to it by her nagging and annoying behaviour.

i) A man has the right to be the master in his own home.

j) A man who uses violence against his partner will also be violent toward others.

k) Women never commit violence upon their partner.

FACTS ABOUT FAMILY VIOLENCE

The reality of family violence is far from the picture painted by the prevailing myths.

a) Family violence is a crime, not a private family matter.

b) A victim of family violence is subject to the same protection by law as a victim of another crime.

c) Women are far more vulnerable to assault than men in a domestic situation.

d) Family violence occurs in all socio-economic, ethnic and cultural groups.

e) Family violence is rarely an isolated incident. It is estimated that in many cases a woman suffers as many as 35 beatings before calling the police.

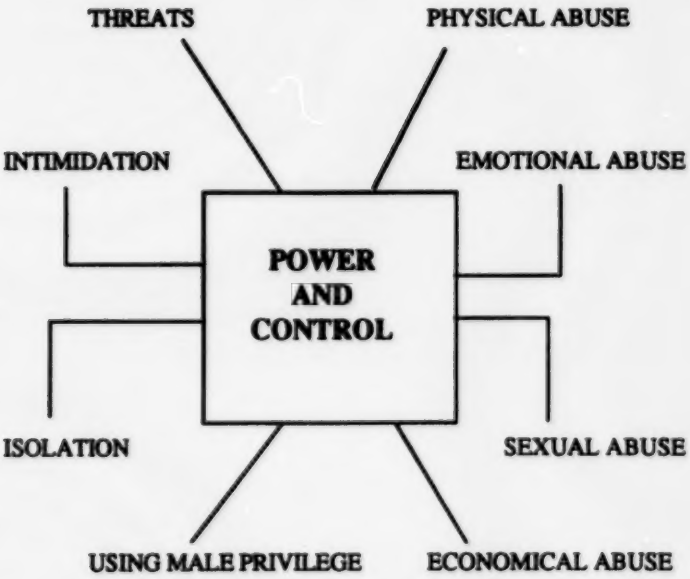
f) Many women are beaten while pregnant.

g) Many victims have few or no financial resources.

h) Most victims have left their partner at least once.

i) A man who abuses his partner is not necessarily violent towards others.

KINDS OF ABUSE



a) **Physical Abuse:** Any form of physical violence, e.g.., pushing, holding, slapping, punching, biting, pulling, burning with a cigarette or liquid, strangling, stabbing, shooting, striking with an object, or pushing out of a car.

b) **Emotional Abuse:** Putting the victim down or making her feel bad about herself, calling her names, making her believe she is crazy, withdrawing of affection.

c) **Sexual Abuse:** Making the victim do sexual acts against her will. Physically attacking the sexual parts of her body. Treating her like a sex object.

d) **Economical Abuse:** Attempting to make the victim dependent for money and survival. Keeping her from getting or maintaining a job. Making her ask for money, taking any money she earns.

e) **Using Male Privilege:** Acting like master of the castle and treating the victim like a servant. The man makes all the decisions about money, free time, funds and activities.

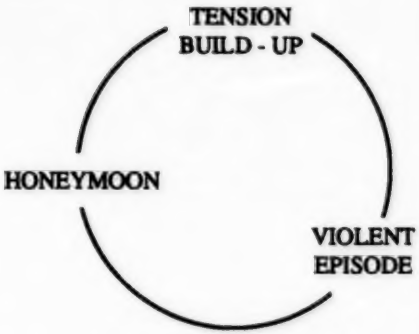
f) **Isolation:** Controlling and limiting what the victim does, who she sees, what she reads and where she goes. Forbidding her from having contact with family and friends. Monitoring her phone calls, mail and daily activities.

g) **Intimidation:** Putting the victim in fear by using looks, actions, gestures, loud voice, and by smashing things, destroying her property.

h) **Threats:** Threatening to do something to hurt her physically, financially, emotionally. Threatening to take the children, or reporting her to child welfare when no valid reason exists.

THE CYCLE OF VIOLENCE

Research and experience have confirmed that violence within a relationship usually follows a cycle. There are three phases to this cycle of violence.



PHASE ONE - TENSION BUILD-UP:

- The victim can sense the abuser's edginess.
- The couple is unable to discuss the underlying problem.
- The abuser becomes verbally abusive...reduces the victim to an object: feels it is okay to beat her as though she were an object.
- The victim feels violence is deserved.
- In order to cope, the victim denies that the violence will occur and believes that it can be controlled.
- Although the victim is unaware of it, anger grows with each incident.

PHASE TWO - VIOLENT EPISODE:

- The tension builds until it becomes unbearable...the victim may even try to take control of the situation by provoking the anger to get it over with...the abuser loses control and acts violently.
- It may begin with a push or shove. With time it escalates to a slap, kick or punch, then to the use of weapons resulting in more serious injuries.
- The abuser does not want to hurt the victim, just teach a lesson.
- The abuser justifies his actions and blames the victim.
- The abuser and victim minimize the seriousness of the injuries.
- As the victim accepts the blame, the cycle starts again i.e., a return to a period of love and romance.

PHASE THREE - HONEYMOON:

- This state is welcomed by both the abuser and the victim.
- The abuser is worried and tries to make up.
- The abuser fears the victim will leave the relationship.
- The abuser becomes charming and manipulative.
- The abuser plays dependent...will fall apart without the victim.
- The abuser believes that his anger can be controlled and that it will never happen again.
- The victim wants to believe the abuser and convinces herself to believe him.

- The victim may be showered with gifts: flowers, candy, etc.

- The victim begins to feel responsible for the abuser's actions as well as her own victimization.

Over the years these cycles may increase in frequency and the violence becomes more severe as the cycle repeats itself. The honeymoon phase in the relationship becomes shorter and the other phases become longer.

THE IMPACT ON CHILDREN

In a recent study conducted at an urban shelter, the findings suggested that the majority of children who accompanied their mothers to the shelter had been abused in some manner. The vast majority of these children - both boys and girls - had been seriously abused or neglected including sexual abuse by a violent parent, guardian or sibling.

Studies show that the effects on children living in an abusive environment are harmful and lasting. Children learn to accept violence as a normal part of family life and will often mimic their parents and become violent themselves. If a mother remains in a home where she is being abused, her children learn there are few consequences for violent behaviour; they become confused in their feelings of love and hurt; their feelings toward their mother may also be confused and this may result in losing respect for her or even directing abuse toward her. Boys may grow up to abuse the women in their lives and girls tend to accept violence in later relationships with men because they think of violence as a normal part of a relationship.

Children who observe violence may:

- feel frightened, confused and unhappy
- behave aggressively, become belligerent or withdrawn and act fearful
- become depressed or even suicidal
- feel responsible for the violence

- exhibit self-destructive, accident prone behaviour
- have physical complaints such as headaches or stomach aches
- have night time difficulties such as, insomnia, nightmares, bed wetting
- seek punishment with behaviours such as lying or stealing (believing punishment means love)
- adopt rigid gender role identification:

  girls - withdrawn, passive, compliant, approval-seeking behaviour

  boys - aggressive, acting out, bullying, and self-destructive behaviour

THE PROFILE OF THE ABUSER

Men who abuse women do not represent a particular socio-economic, cultural, educational, professional or religious group. The abuser may present the image of sincerity, success and self-confidence to the world, and only in the intimacy of a relationship use violence to intimidate and control. Men who beat women may have several common personality characteristics.

- Insecure
- Jealous
- Self-Centered
- Lacking in insight into their own and other's behaviour
- Egotistical: they see themselves as better than others (a paradox of some insecure people)
- Hypersensitive: their feelings are easily hurt, and what most people would consider normal frustration,

setbacks or embarrassments, their experiences are seen as major personal insults

- Have a strong need to control, feeling they have a right to demand that their women do what they want
- Expect their women to meet all their emotional and physical needs
- Many were raised in a violent home in which their mothers were beaten
- Have difficulty in identifying many of their emotions.
- They are often very isolated and alone: in contrast to their victim's isolation, which they frequently impose, theirs is self-imposed; many have "buddies" but none with whom they can share personal feelings or concerns
- Many have alcohol and/or drug abuse problems
- Abusers always minimize the severity and frequency of their violence and sometimes deny it completely

THE PROFILE OF THE VICTIM

As with the abusers, victims belong to all socio-economic, cultural, educational, professional and religious groups.

Victims of family violence may share some of these common characteristics:

- Low self-esteem as a result of the continued abuse
- Possess a need to please others
- A lack of confidence or preparation to be financially independent; or they have their money so controlled by the abuser they

have no resources of their own

- Victims of abuse as children
- Have grown up in homes where their mothers were beaten
- Have the feeling that they are to blame for their own beatings, or at least contribute to their occurrence
- Often prone to depression and may become suicidal

WHY THE VICTIM STAYS IN THE RELATIONSHIP

It is very difficult for an outsider to understand why a victim remains in an abusive relationship. However keep in mind that staying isn't the crime. FAMILY VIOLENCE IS THE CRIME.

Often an abused woman has left - sometimes up to five or six times before she finally can break away from the relationship. Usually she stays because she believes that anywhere she goes he can follow her. Many victims of family violence are assaulted by former partners outside their actual home.

Women also stay in abusive situations and don't want to involve the police because they are ashamed of being abused. They may also lack the needed information about their legal rights and community resources to help them make changes to stop the violence.

Quotes taken from women staying in shelters suggest some of the following reasons:

"Anywhere you can go, he can go. When he finds you, his rage will make previous abuse seem mild."

"He has told you that if you try to leave, he will find your children at school and take it out on them, or on your pet, or on your parents."

"He lies convincingly. You run away and the police bring you home, after he "explains" that you are insane and must be returned to his custody."

"Professionals find it hard to believe that a quiet, amiable, and educated man would do such things, especially since he never does it with witnesses around."

"Police are very sympathetic the first time and they do try to be helpful but when they are called into the situation several times they are no longer understanding, caring or supportive."

The issue of why a woman stays in an abusive relationship is very complex and the explanations as to why they stay are varied. However a combination of any of the following may be involved in her decision:

a) Frequency and Severity of Violence

- The abuse may occur over a relatively short period of time.
- He may tell her and she may be convinced that this incidence of abuse was the last.
- Generally, the less severe and less frequent the incidents, the more likely she will stay.

b) Her Childhood

- She may have lived in a home where her father beat her mother, and accepts it as natural.
- The more she was hit by her parents, the more likely she will stay. In other words, she learned at an early age that it is okay to hit someone you love when they have done something wrong.

c) **Economic Dependence**

- She may be economically dependent on him and can see no real alternative. He may control all their money and she may have no access to cash, cheques or important documents.

- She may have no marketable skills and does not want to deprive her children of the standard of living they are used to.

d) **Fear**

- She believes her partner will find her no matter where she goes. She can see no real way to protect herself from him. Many of her fears are justifiable.

- If she or even a neighbour reports him to the police, he will often take revenge upon her.

- Often, she is so terrified, she may deny abuse when questioned.

- She is afraid that if she reports the crime or tells of the abuse, he might lose his job...the only source of income for the family.

- She is afraid he will harm members of her family or friends.

- She is afraid he will commit suicide if she leaves.

- She is afraid of incurring the wrath of the extended family if she breaks up with him or reports him.

- She may be afraid of community reaction to either herself, her children or her partner.

e) **Isolation**

- Often he is her only psychological support system, and he has systematically destroyed her other friendships.
- She may have no idea that services are available and may feel trapped.
- Often relatives get tired of helping her out, time after time, giving her a place to stay. They no longer volunteer to be a resource that she can rely on.
- He has threatened to kill her, the children and anyone else she involves if she reports him, thus cutting off communication with potential helpers.
- Having nobody to talk to, she often does not see herself as an abused woman.
- She believes that outsiders should not be involved in the affairs of a family.

f) **Low Self-esteem**

- The concept of "learned helplessness" takes control of her life. She believes what he says about her being incompetent and unable to function on her own.
- She may be severely depressed and reluctant to take action on her own.
- Often he is only violent with her and she therefore concludes that it must be something wrong with her. She often accepts his reasoning that she deserved the punishment or that he was just too drunk to know what he was doing.
- She believes that if she would improve or stop making mistakes that the abuse would stop. She remains

through guilt.

- There is a social stigma attached to family violence because others cannot understand why any self-respecting woman would stay in that situation. She may be embarrassed to admit it.

g) Her Beliefs About Marriage

- Religious and cultural beliefs, or the eyes of society, demand that she maintain the facade of a good marriage.
- Often she stays for the sake of the "children needing a father".
- She may believe that abuse is a part of every marriage.
- She was raised to believe in the all-importance of a good relationship with a man, and that a good relationship is her responsibility, not his.

h) Her Beliefs About Her Husband

- She often still loves him and is emotionally dependent on him.
- Often motivated by pity and compassion, she feels she is the only one who can help him overcome his problem.
- She believes him to be all-powerful and able to find her anywhere. Many of her fears and beliefs about him are well founded, based on past violent episodes.

WHAT A VICTIM NEEDS FROM THE POLICE

At the time of a crisis, a victim may not know what she wants or needs. She is experiencing conflicting emotions of fear, loyalty, love, guilt and shame. She may not be aware of the options available to her or the resources available in the community.

Abused women, staying in shelters, were asked what they needed or expected from the police. Some of their comments were:

> *"I would expect "protection, support and for the police to remove my spouse."*

> *"I feel the police should have the knowledge of resources in their area and should utilize these resources and most importantly to pass this knowledge to the victims."*

The needs of the victim at the time of crisis are:

a) A prompt response from the police.

b) For the police to take charge of the situation.

c) For the police to recognize her as a victim, to listen to her and to understand why she is so upset. Remember it is very difficult for her to disclose the abuse.

d) For the police to provide emotional support and demonstrate a caring attitude. She needs to be reassured that she did the right thing by calling the police.

e) For the police to protect her from the abuser.

f) Assistance in getting medical attention, if necessary.

g) If she chooses to leave the residence, she may need assistance in arranging for transportation to a safe place.

h) To stand by while she gathers her children and necessary personnel belongings.

i) To inform her about services in the community to help her.

j) To advise her of what will happen as a result of the complaint, i.e., what the next step will be:

- if a charge is laid, to explain its implications and what will be expected of her as a result
- if no charge is laid, to explain why and to outline alternative actions she may take.

k) To inform her about other legal remedies, i.e., restraining orders, peace bonds.

l) To make available the services of a professional crisis worker (where applicable) so appropriate follow up referral can be made.

CONCLUSION

Family violence is a crime which is surrounded by complex dynamics.

A victim of family violence is uniquely isolated as she becomes a victim at the hands of the person she loves. She wrestles with feelings of fear, loyalty, love, guilt and shame. She is torn between the desire to shield and help a loved one, and her responsibility toward her own safety and that of her children.

She is a victim of crime and is entitled to:

- be free and safe from violence
- the maximum protection from abuse as permitted by law
- be treated with courtesy, compassion and respect
- information about legal rights and the assistance which can be obtained from community resources

- obtain a restraining order or peace bond to stop her partner from threatening or annoying her

It is important the police have a sound understanding of the dynamics of family violence so that they can deal with this crime in an effective and humane manner.

NOTES